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Notice of Allowability	Application No.	Applicant(s)	
	10/611,701	POSAMENTIER ET AL.	
	Examiner	Art Unit	
	Pascal M. Bui-Pho	2878	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to _____.
2. ☒ The allowed claim(s) is/are 1-5, 10-13 and 20-27.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

Allowable Subject Matter

1. Claims 1-5, 10-13, and 20-27 are allowed over the prior art of record.
2. The following is an examiner's statement of reasons for allowance:

The prior art fails to teach a method for monitoring and controlling AC components of a laser beam, among other features, comprising the steps of: illuminating a first photodiode on a substrate with an optical beam emitted by a laser, preventing a second photodiode on the substrate from illumination by the optical beam, and coupling a circuitry to the first photodiode to adjust alternating circuit (AC) components in the optical beam in response to variations in bandwidth of the second photodiode.

The prior art further fails to teach a transponder, among other features, comprising: two photodiodes on the same substrate, a first diode being illuminated by an optical beam emitted by a laser and a second photodiode being prevented from illumination by the optical beam; a circuitry coupled to the first diode to adjust AC components in response to variations in bandwidth of the second photodiode; an erbium-doped fiber amplifier (EDFA) coupled to the transponder; and a machine-accessible medium including data to perform given operations as set forth in abovementioned method.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

I) Bardos et. al (US 5,371,360) disclose a laser driver mechanism utilizing two feedback loops. A photodetector is coupled to a sealed unit comprising of an injection laser diode emitter, a photodetector associated to the first feedback loop and beam

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extraction optics. The second photodetector associated to the second feedback loop serves to compensate for non-linearities in the laser driver including those of the first feedback loop. Housed externally to the sealed unit, the second photodetector's ambient operating conditions are not affected by the operation of the laser. The sealed unit is mounted in a module that equalizes the cross-sectional spatial distribution of optical energy within the light beam emitted by the injection laser diode and ensures that the spatial cross-section of the image spot seen by the photodetector is effectively constant regardless of laser output beam intensity.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

EXAMINER'S AMENDMENT

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

The application has been amended as follows:

- In claim 23, "An article of manufacture article of manufacture, comprising: a machine-accessible medium including data that, when accessed by a machine, cause the machine to perform the operations comprising, comprising:" has been changed to --An article of manufacture, comprising: a machine-

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accessible medium including data that, when accessed by a machine, cause the machine to perform the operations, comprising:--.

- In paragraph 45, line 3, of the specifications, "if" has been changed to --is--.
- In paragraph 49, line 5, of the specifications, "908" has been changed to --1008--.


4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pascal M. Bui-Pho whose telephone number is (571) 272-2714. The examiner can normally be reached Monday through Friday: 8:30 a.m. - 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Porta can be reached on (571) 272-2444. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

pmb

Pascal M. Bui-Pho
Examiner
Art Unit 2878



DAVID PORTA
SUPERVISORY PATENT EXAMINER
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